

FILED
OCT 28 2015
Clerk, U.S. District Court
District of Montana
Billings

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

**JESUS YEIZON DENIZ
MENDOZA,**

Defendant.

CR 15-93-BLG-SPW

ORDER

Before the Court is Defendant Deniz-Mendoza's renewed motion to appoint counsel that is "learned in the law applicable to capital cases" within the meaning of 18 U.S.C. § 3005. (Doc. 35). Deniz-Mendoza again requests appointment of learned counsel Donald R. Knight of Littleton, Colorado, after clarifying that Federal Defender Anthony Gallagher is not acting as learned counsel.

IT IS HEREBY ORDERED:

1. Having considered the recommendation of the Office of the Federal Defender for the District of Montana to appoint Donald R. Knight as counsel in

this case, Deniz-Mendoza's motion is GRANTED and Donald R. Knight, attorney at law, under Title 18 U.S.C. § 3005, is APPOINTED as counsel for defendant.

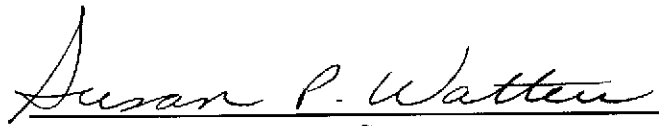
2. The Court finds that Mr. Knight meets the statutory qualifications for such appointment. *See* 18 U.S.C. § 3005; 18 U.S.C. § 3599(b). He shall be compensated at the maximum hourly rate for capital cases of \$181.00 per hour.

3. If the Government elects not to seek the death penalty as to Deniz-Mendoza, Mr. Knight's appointment in this case shall be terminated, prospectively.

4. Mr. Knight shall consult with Ninth Circuit Case Managing Attorney Kristine Fox to prepare a litigation budget. *See* Guide to Judiciary Policy, Vol. 7A, §640. She may be reached at 415.355.8985 or kfox@ce9.uscourts.gov.

IT IS SO ORDERED.

DATED this 28th day of October, 2015.


SUSAN P. WATTERS
U.S. District Judge